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FEB 26 2009

WATER RESOURCES  
WESTERN REGION

February 25, 2008

John Westra  
Western Regional Manager  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082

Subject: *Orchard Ranch, LLC Application 63-32703*

Dear Mr. Westra:

Enclosed on behalf of Orchard Ranch, LLC, is additional information concerning ownership of the proposed site for the Orchard Ranch Planned Community. We originally responded to your request for additional information dated November 5, 2008 by submittal of correspondence dated February 24, 2009.

Subsequent to our previous correspondence, we received the enclosed *Special Warranty Deed* from Knorr Development. The deed conveys a small interest in the property from Kristi Corbett to Rodger Johnson. Please include this information in IDWR's file for application 63-32703.

Please contact me with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Roxanne".

Roxanne Brown

cc: Norm Semanko  
Jason Elrod, Circle Partners, LLC  
SPF File No. 539.0030

RECORDATION REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Wayne A. Smith  
Jennings, Strouss & Salmon, P.L.C.  
201 E. Washington St., 11<sup>th</sup> Floor  
Phoenix, AZ 85004-2385

Instrument # 394014  
Elmore County, Idaho  
03:42pm Dec. 14, 2007  
For: FIRST AMERICAN TITLE COMPAN  
No. of Pages: 3 Fee: \$9.00  
MARSA GRIMMETT, Recorder  
Deputy: DLE

**SPECIAL WARRANTY DEED**

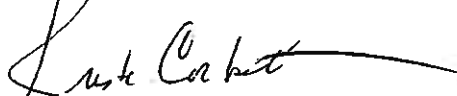
FOR VALUE RECEIVED, Kristi Corbett, a single woman (the "Grantor") hereby GRANTS, BARGAINS, SELLS AND CONVEYS to RODGER JOHNSON, a single man (the "Grantee"), whose current address is P.O. Box 114, Walhalla, North Dakota 58282, the following-described real property situated in the County of Elmore, State of Idaho, legally described as:

An undivided 17.25% interest in the real property described on  
Exhibit A attached hereto and made a part hereof ("Premises");

To have and to hold the said Premises together with their appurtenances (inclusive of all water and ditch rights, including without limitation water right nos. 61-7263, 61-7264A, and 61-7264B) and all rents, remainders and reversions, hereditaments, issues and profits, improvements and fixtures, easements, all other permits, licenses, mineral rights to the extent owned by Grantor and appurtenant to the Premises and rights in any way appertaining to the Premises unto the said Grantee, his successors and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, his successors and assigns, that she is the owner in fee simple of said Premises; that said Premises are free from all encumbrances, except for tax assessments for the year 2007 and all subsequent years, rights, easements, covenants, reservations, restrictions, and encumbrances of record (excluding liens), and that she will warrant and defend the same from all lawful claims done, made, suffered or arising by or through Grantor forever.

DATED this 8<sup>th</sup> day of October, 2007.

GRANTOR:

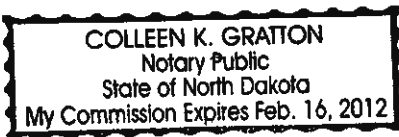
  
\_\_\_\_\_  
Kristi Corbett

STATE OF North Dakota)

County of Pembina) ss.

On this 8<sup>th</sup> day of October, in the year 2007, before me, a Notary Public, personally appeared Kristi Corbett, known or identified to me (or proved to me on the oath of \_\_\_\_\_) to be the person who executed the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificated first above written.



Colleen K. Gratton  
NOTARY PUBLIC for Pembina Co., ND

My Commission Expires: Feb 16, 2012

Parcel ONE:

A parcel of land being portions of the NE $\frac{1}{4}$ , SE $\frac{1}{4}$  and SW $\frac{1}{4}$  of Section 31 and the West Half of the NW $\frac{1}{4}$  of Section 32, Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho, being more particularly described as follows:

Commencing at the Southwest corner of the SW $\frac{1}{4}$  of Section 31, T.2S., R.5E., B.M.; thence N. 00°18'16" E. 30.00 feet along the West line of the SW $\frac{1}{4}$  of said Section 31 to the Real Point of Beginning of this Description:

Thence N. 00°18'16" E. 2613.70 feet to the Northwest corner of the SW $\frac{1}{4}$  (West  $\frac{1}{4}$  corner) of said Section 31;

Thence N. 89°59'30" E. 2642.38 feet to the Northeast corner of the SW $\frac{1}{4}$  (Center  $\frac{1}{4}$  corner) of said Section 31;

Thence N. 00°18'02" E. 2642.48 feet to the Northwest corner of the NE $\frac{1}{4}$  (North  $\frac{1}{4}$  corner) of said Section 31;

Thence N. 89°59'21" E. 2642.79 feet to the Northeast corner of said Section 31;

Thence S. 89°59'26" E. 1290.70 feet along the North line of the West Half of the Northwest  $\frac{1}{4}$  of Section 32, T.2S., R.5E., B.M. to a point on a line 30.00 feet West of and parallel to the East line of said West  $\frac{1}{2}$ ;

Thence S. 00°17'56" W. 2641.61 feet along said line to a point on the South line of the West Half of the NW $\frac{1}{4}$  of said Section 32;

Thence S. 89°59'38" W. 1290.70 feet to the Southwest corner of said West  $\frac{1}{2}$  (The West  $\frac{1}{4}$  corner) of said Section 32;

Thence S. 00°18'49" W. 2740.23 feet to a point on a line 30.00 feet North of and parallel to the South line of the SE $\frac{1}{4}$  of Section 31, T.2S., R.5E., B.M.;

Thence N. 88°38'39" W. 2642.96 feet along said line to a point on the West line of the SE $\frac{1}{4}$  of said Section 31;

Thence N. 88°38'35" W. 2642.66 feet to the Real Point of Beginning.

Parcel TWO:

A parcel of land being a portion of the NW $\frac{1}{4}$  of Section 6; Township 3 South, Range 5 East, Boise Meridian, Elmore County, Idaho, being more particularly described as follows:

Commencing at the Northwest corner of Section 6, T.3S., R.5E., B.M., Thence S. 00°00'59" W. 30.00 feet along the west line of the NW $\frac{1}{4}$  of said Section 6 to a point on a line 30.00 feet South of and Parallel to the North line of said Section 6, the Real Point of Beginning of this description;

Thence S. 88°38'35" E. 2641.96 feet along said line to a point;

Thence S. 88°38'39" E. 224.71 feet to a point on the East line of the NW $\frac{1}{4}$  of said Section 6;

Thence S. 00°15'08" W. 2558.69 feet to the Southeast corner of the NW $\frac{1}{4}$  of said Section 6;

Thence N. 89°34'08" W. 2855.42 feet to the Southwest corner of the NW $\frac{1}{4}$  of said Section 6;

Thence N. 00°00'59" E. 2605.06 feet to the Real Point of Beginning.